

215

File S. F. 15438

ABST. #827
Hays County

SCHOOL LAND

Clyde B. Smith
(Good Faith Claimant)
San Antonio, Texas

20³³ Acres

Section No.

Block Tsp. Cert.

Act of June 19, 1939

CORRECT ON MAP FOR 20³³ ACRES
4/13/52 VES

approved as M & B and valued
by the Commissioner and the
School Land Board at \$5.00
per acre. 11-18-52

Bascom Giles, Com?
Patent to Original, with M/R
12-5-52 Simmons

REG. MK'D. PTD.
Map Mkd. Ptd.
Obligation

Vol.

143

Page

763

B-138-1050-4m

PATD. ABST. SUP. E

Patented DEC 9 1952
No. 215 Vol. 21-B
DEC 10 1952
Mailed Co. CONTENTS

- No. 1—Application and Obligation 10/29/52-ow
No. 2—Affidavit 10/29/52-ow
No. 3—Questionnaire 10/29/52-ow
No. 4—Title Opinion 10/29/52-ow
No. 5—Cones-Saunders 10/29/52-ow
No. 6—Bills to Saunders (Saunders) 10/29/52-ow
No. 7—Field Notes 7/8/52 VES
No. 8—Sketch 7/8/52 VES
No. 9—Sur. Report 7/8/52 VES
No. 10—accept. of Terms 12-2-52
No. 11—Copy DEC 3-1952 No
No. 12—Dup. Award Receipt 12-2-52

12-2-52
Pay fee 5⁰⁰ Reg. 17349
Reg. " 100 " 17350
Saunders & Saunders
South Texas Bldg.
San Antonio, Tex.

PAID IN FULL FOR 20³³ ACRES
DATE DEC 3-1952 No

APPLICATION TO PURCHASE

(Good Faith Claimant)

10513

TO THE COMMISSIONER OF THE GENERAL LAND OFFICE, AUSTIN, TEXAS:

1. I hereby apply to purchase under a preference right without condition of settlement the tract of unsurveyed school land hereinafter described, under the provisions of an Act approved June 19, 1939, and other laws relating to the sale of unsurveyed school land.
2. The said tract of land is situated in HAYS County, Texas, about 18 miles

Northwest from San Marcos, the county seat, and is described as follows, to-wit:

Beginning at a stone mound on the north line of the Isaac F. Pace Sur. No. 116, being the Southeast Corner of W. J. Sneed Survey for the southwest cor. of said 20.33 Ac. from which a L. O. 20" brs. S. 20 deg. E. 35.3 vs. and a L. O. 12" brs. N. 5 deg. E. 19.2 Vs;

THENCE with east line of W. J. Sneed Survey, North 1 deg. 30 min. West, 459 Vs. to a stone mound on the south line of the Geo. Jenkins Sur. the Northwest Corner of this tract of 20.33 Ac. from which a L. O. 7" brs. S. 37 deg. E. 6.2 Vs. and a L. O. 7" brs. S. 85 deg. W. 16.3 Vs.

THENCE with south line of said Geo. Jenkins Sur. East 250 Vs. to a stone mound, a N. W. Cor. of the W. L. Massey Sur. the Northeast Cor. of this survey from which a L. O. 14" brs. N. 10 deg. E. 23.6 vs. and a L. O. 18" brs. S. 50 deg. W. 24.2 Vs;

THENCE S. 1 deg. 30 min. East, 459 Vs. to a stone mound on the north line of Isaac Pace Sur. the S. W. Cor. of W. L. Massey Sur. the S. E. Cor. of this survey from which a L. O. 12" brs. N. 5 deg. E. 19.2 Vs. and a L. O. 10" brs. S. 29 deg. E. 14.2 Vs.

THENCE with north line of said Pace Survey, West, 250 Vs. to the place of beginning. Plat and Field Notes of this survey being recorded in Book 11, page 236, County Surveyor's Records of Hays County, Texas.

3. I am a good faith claimant under the terms of said Act, as is fully shown by the attached instruments marked Exhibit "A".

4. Remarks:*

- (1) Affidavit of Good Faith Claimant enclosed.
- (2) Field notes and plat accompany this application.
- (3) Attorneys' Opinion by Saunders & Saunders, Attorneys, also accompany application.

RECEIVED
OCT 29 1952
GENERAL LAND OFFICE

Clyde B. Smith
224 Quinta Road Good Faith Claimant
San Antonio, Texas
Post Office _____

IMPORTANT NOTICE!

- *NOTE: (1) The Good Faith Claimant should clearly indicate his position as to the existence of a vacancy.
- (2) If there should be no prior filing by an applicant, the good faith claimant should state whether application is accompanied by field notes or whether same will be filed within 120 days from date of filing of application with Commissioner of General Land Office.
- (3) Any other statement pertinent to the application to purchase may be included.

(OVER)

R1

CERTIFICATE

I, A. J. Mullins, Secretary of the School Land Board, do hereby certify that at a regular meeting of said board held in the General Land Office, Austin, Texas, on the 18 day of November, A. D. 1952, the price at which the area of land described in the above application No. 15438, shall be sold, was fixed by the School Land Board at \$ 5.00 Dollars per acre, all of which is shown in Vol. 9, Page _____, of the Minutes of said Board.

Given under my hand this the 18 day of November, A. D. 1952, at Austin, Texas.

A. J. Mullins

Secretary of the School Land Board

S4083

RECEIVED AS STATED

B, C

DATE 10/29/52
Reg. No.

10513

GENERAL LAND OFFICE

ow

GENERAL LAND OFFICE
Austin, Texas

S. F. No. 15438

**APPLICATION TO PURCHASE
UNSURVEYED SCHOOL LAND
(Good Faith Claimant)**

of

CLYDE B. SMITH
San Antonio, Texas.

WITHOUT SETTLEMENT

20.53 acres
in Hays County, Texas.

Filed October 29, 1952
Percis Wallaces Chief Clerk
Commissioner
+ Acting ow

Approved Nov. 18, 1952
Rejected
Bascom Miles
Commissioner

APPLICATION TO PURCHASE

R²

10513

10513

STATE OF TEXAS
COUNTY OF BEXAR

BEFORE ME, the undersigned authority, on this day personally appeared Clyde B. Smith, known to me to be a credible person, who being by me duly sworn, on oath deposed as follows:

I am a Good Faith Claimant to 20.33 acres of land located in Hays County, Texas, about 18 miles Northwest from San Marcos, and being the same land surveyed by James C. Adams, licensed land surveyor of Bexar County, Texas, for me, field notes of which survey are recorded in Book 11 on page 236 of the County Surveyor's Records of Hays County, Texas.

The above described tract of 20.33 acres of land is all rough rocky land, suitable only for grazing purposes. The timber of said land is scrub mountain cedar and scrub oak. This land is now, and always has been, used for grazing purposes only, and no other purpose.

I have made my application as a Good Faith Claimant because it has always been believed that the above described tract of land was included in the W. J. Sneed Survey #117, Abstract #411, all of which survey has been owned by me, and those through whom I hold, for over fifty (50) years. W. T. Brooks bought all of the W. J. Sneed Survey from Susie Brooks, a feme sole, on November 6, 1901, along with other lands, all of which is described in that deed recorded in Volume 42, on pages 329-331, Deed Records of Hays County, Texas.

The land above described was placed under fence over fifty (50) years ago and has been under fence all of said time, and is within definitely recognized boundaries.

The above described 20.33 acres of land has been in my possession, and those through whom I hold, for more than fifty (50) years, with good faith belief that I and those through whom I hold was the owner thereof.

Lands adjoining the above described 20.33 acres on the North, on the West, and on the South all belong to me under the same circumstances as my claim is to this land. Those lands were bought, as above set forth, in 1901. Land immediately to the East of said 20.33 acres of land, is separated by a good and substantial fence, and belongs at this time to Karl Dobie. Karl Dobie owns the W. L. Massey Survey which adjoins the 20.33 acres on the East. The fence, as it now exists, has been there over fifty (50) years, and according to all surveys made, the fence is on the correct boundary line.

No oil or gas wells are located anywhere near this land, the nearest production of oil and gas being the Luling field, which is 35 or 40 miles distant from this tract of land.

Further Affiant saith not.

Clyde B. Smith
Clyde B. Smith

STATE OF TEXAS
COUNTY OF BEXAR

SWORN TO AND SUBSCRIBED by Clyde B. Smith before me this 25th day of October, A. D. 1952.

Dan O. Saunders
Dan O. Saunders
Notary Public
Bexar County, Texas

RECEIVED

OCT 29 1952

GENERAL LAND OFFICE

COUNTY OF BEXAR
STATE OF TEXAS

who being by me duly sworn, on oath deposed as follows:

I am a Good Faith Claimant to 20.33 acres of land located in Hays County, Texas, about 18 miles Northwest from San Marcos, and being the same land surveyed by James C. Adams, licensed land surveyor of Bexar County, Texas, for me, field notes of which survey are recorded in Book 11 on page 238 of the County Surveyor's Records of Hays County, Texas.

The above described tract of 20.33 acres of land is all rough rocky land, suitable only for grazing purposes. The timber of said land is scrub mountain cedar and scrub oak. This land is now, and always has been, used for grazing purposes only and no other purpose.

S. F. 154
Jays
Official
October 29
BASCOM GILES, Comr.
Cra May 1904
File

The land above described was placed under fence over fifty (50) years ago and has been under fence all of said time, and is within definitely recognized boundaries.

The above described 20.33 acres of land has been in my possession, and those through whom I hold, for more than fifty (50) years, with good faith belief that I and those through whom I hold was the owner thereof.

ing to all surveys made, the fence is on the correct boundary line. as it now exists, has been there over fifty (50) years, and accord- Massey Survey which adjoins the 20.33 acres on the East. The fence and belongs at this time to Karl Dobie. Karl Dobie owns the W. L. 20.33 acres of land, is separated by a good and substantial fence, as above set forth, in 1901. Land immediately to the East of said circumstances as my claim is to this land. Those lands were bought, on the West, and on the South all belong to me under the same cir- Lands adjoining the above described 20.33 acres on the North,

35 or 40 miles distant from this tract of land. nearest production of oil and gas being the Inling field, which is No oil or gas wells are located anywhere near this land, the

Further Affiant saith not.

Clyde B. Smith

COUNTY OF BEXAR
STATE OF TEXAS

day of October, A. D. 1952.

Robert J. La Follette

Notary Public
Bexar County, Texas
Dan O. Saunders

81501

2

PLAT

THE STATE OF TEXAS

Survey No. 10513

HAYS COUNTY

RECEIVED

FIELD NOTES of a survey of

OCT 29 1952

20.33

acres of land made for

CLYDE B. SMITH

by virtue of his application filed with the Commissioner of the General Land Office, Austin, Texas, on the _____ day of _____, 19____; (application to be filed with the Commissioner of the General Land Office, Austin, Texas*) under the laws regulating the sale and lease of unsurveyed school land. Said land is situated in HAYS County, about 10 1/2 miles N. 34° W. Northwest from San Marcos, the county seat, and is described by metes and bounds as follows, to-wit:

Beginning at a stone mound on the north line of the Isaac F. Pace Sur. No. 116 being the Southeast Corner of W.J. Sneed Survey for the southwest cor. of said 20.33 Ac. from which a L.O. 20" brs. S. 20 deg. E. 35.3 Vs. and a L.O. 12" brs. N. 5 deg. E. 19.2 Vs;
 THENCE with east line of W.J. Sneed Survey, North 1 deg. 30 min. West, 459 Vs. to a stone mound on the south line of the Geo. Jenkins Sur., the Northwest Corner of this tract of 20.33 Ac. from which a L.O. 7" brs. S. 37 deg. E. 6.2 Vs. and a L.O. 7" brs. S. 85 deg. W. 16.3 Vs.
 THENCE with south line of said Geo. Jenkins Sur. East 250 Vs. to a stone mound, a N.W. Cor. of the W.L. Massey Sur. the Northeast Cor. of this survey from which a L.O. 14" brs. N. 10 deg. E. 23.6 Vs. and a L.O. 18" brs. S. 50 deg. W. 24.2 Vs;
 THENCE S. 1 deg. 30 min. East, 459 Vs. to a stone mound on the north line of Isaac Pace Sur. the S.W. Cor. of W.L. Massey Sur. the S.E. Cor. of this survey from which a L.O. 12" brs. N. 5 deg. E. 19.2 Vs. and a L.O. 10" brs. S. 29 deg. E. 14.2 Vs.
 THENCE with north line of said Pace Survey, West, 250 Vs. to the place of beginning.

to the place of beginning.

Variation 9 deg. 15 min. EastChain Carriers Barney Jacobs

Bearings marked

Tom JacobsSurveyed May 1 & 15, & June 14, 1952

By

(Signature of Surveyor)

I, James C. Adams, Licensed Land Surveyor of Bexar County,

Texas, do hereby certify that the foregoing survey was made by me on the ground, and according to law; that the limits, boundaries and corners, with the marks, natural and artificial, are truly described in the foregoing Plat and Field Notes, just as I found them on the ground; and they are recorded in Book 11, Page 236, of the County Surveyor's Records of Hays County, Texas.

This 14th day of October

RECEIVED

NOV 8 1952

Surveyor of Hays County, Texas.

IMPORTANT NOTICE

*(1) To be used in lieu of "application filed with the Commissioner of the General Land Office, Austin, Texas, on the _____ day of _____, 19____" when application is to be accompanied by the field notes.

(2) The written report of the survey which is required to accompany the above field notes must show whether the above described tract of land is situated within five (5) miles (state exact distance) of a well producing oil, gas, or other minerals in paying quantities.

HAYS

County

School Land
Field Notes

Filed Nov. 8 1952

BASCOM GILES, Com'r

File Clerk

Correct on Map for 20³³ Acres
11/13/52 VES

Patented
12-9-52
Robertson

RECEIVED AS STATED

Date 10/29/52

Reg. No. 10513

GENERAL LAND OFFICE

GENERAL LAND OFFICE
Austin, Texas

S. F. No. _____

FIELD NOTES
(Good Faith Claimant)

Filed _____ 19__

Approved _____ 19____
Rejected _____

I, James C. Adams, Licensed

Surveyor of Bexar County

County, do hereby certify that the character and reasonable market value of the land included within the limits of the within field notes are as follows:

Soil (state character) very rocky

Timber mountain cedar and scrub
oak

Value \$ 5.00 per acre
(including timber) 161

James L. Adams
Surveyor

Tom Jacobs
Berned Jacobs

RECEIVED

MON 8 1925

IMPORTANT NOTICE

См. также

10513

SECTION BLOCK CERTIFICATE GRANTEE COUNTY FILE NO.

In addition to the information furnished in application to purchase and field notes, the following is required:

(This information should be forwarded with your application to purchase.)

1. Kind of soil and topography of surface and purpose for which it is adapted - - agricultural or grazing.
Rough, rocky land with mountain cedar and shin oak, suitable only for grazing.
2. Type and value of timber, if any.
Cedar, of no value.
3. Assessed value. (If not rendered for taxation, give last assessed value of adjoining lands.)
\$3.00 per acre.
4. Surveyor's estimate of actual value without improvements, per acre.
\$5.00 per acre. There are no improvements.
5. Claimant's estimate of actual value without improvements, per acre.
\$5.00 per acre.
6. Distance and direction from nearest oil or gas field, naming the field.
Luling Oil Fields, about 35 or 40 miles distant.
7. Distance and direction from nearest oil or gas well producing or capable of producing oil or gas in commercial quantities.
Oil fields at Luling, 35 or 40 miles distant.
8. Distance and direction from nearest drilling oil well.
Same as Nos. 6 and 7, as far as I know.
9. Distance and direction from nearest dry hole.
About 9 mi. S.W. on Byler Place, and about 9 mi. N. E. on Onion Creek.
10. Is the land under oil and gas lease? If so, state amount of cash paid, rate of royalty, drilling obligation and to whom leased.
No.
(If there is oil or gas production on this tract, kindly give the following information.)
(a) Number of producing oil wells and depth from which they produce.
(b) Number of producing gas wells and depth from which they produce.
(c) Name of field in which the tract is located and how long producing.

I certify that the above information is true and correct according to the best of my knowledge and belief.

WITNESS my hand this 25th day of October, 19 52.

Clyde B. Smith

224 Quinta Road
San Antonio, Texas

RECEIVED

OCT 29 1952

GENERAL LAND OFFICE

about 3 mi. S.W. on Byler Place, and about 3 mi. N. E. on Ontario

Distance and direction from nestlet quilling on well.

170 miles at 25, 30 or 40 miles instead.
 Proceeding on or less in consequence of immunities.
 BA
 [Signature]

Distance and direction from nearest oil or gas well (bearing and distance)

Distance and direction from nearest oil or gas field, manufacturing center, etc.

\$2.00 per acre.

9, 1
Com'r
File C

52
Sulphur, a estimate of actual land value without improvements & acid.

THOS. J. SAUNDERS
DAN O. SAUNDERS
T. J. SAUNDERS, JR.

LAW OFFICES OF
SAUNDERS & SAUNDERS
SOUTH TEXAS BUILDING
SAN ANTONIO, TEXAS

10513

October 28, 1952

OPINION ON TITLE

Hon. Bascom Giles
Commissioner of General Land Office
Austin, Texas

Dear Sir:

We have examined complete abstract of title to the Clyde B. Smith Ranch in Hays County, Texas, containing 392.29 acres of land, being 189.38 acres out of the George Jenkins Survey #3, Abstract #258, 111.16 acres out of the W. J. Sneed Survey, Abstract #411, and 91.75 acres out of the I. F. Pace Survey #116, Abstract #364, as shown by complete abstract of title #3489, prepared by Hays County Abstract Company at San Marcos, Texas, said abstract containing 104 pages, and being dated March 5, 1952, and as shown by said abstract of title, it is our opinion that Clyde B. Smith, of 224 Quinta Road, San Antonio, Bexar County, Texas, has a merchantable fee simple title in all of said land, subject, however, to the following:

I.

A survey made by James C. Adams on May 1, May 15 and June 14, 1952, shows a vacancy of 20.33 acres of land out of what has been considered the East portion of the W. J. Sneed Survey, above referred to, which vacancy is Public School Land.

On November 6, 1901, Susie Brooks, a feme sole, conveyed all of the above mentioned land to Wyatt T. Brooks by general warranty deed, which deed is recorded in Volume 42, pages 329-331, Deed Records of Hays County, Texas. Wyatt T. Brooks, at that time, was married to Lee Brooks, and the down payment on said deed was made with community funds of the said Wyatt T. and Lee Brooks. The notes given at the time said deed was passed, were all paid by community funds of the said Wyatt T. and Lee Brooks. At the time said deed was made, said land was under a good and substantial fence, and has so remained continuously since that time. The said Wyatt T. Brooks died some years ago, intestate, and no administration was had on his

RECEIVED
OCT 29 1952
GENERAL LAND OFFICE

October 28, 1952

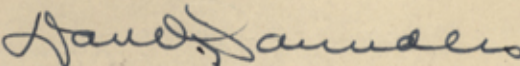
estate, and none was necessary. The said Wyatt T. Brooks and wife, Lee Brooks, never had any children and did not adopt any. Lee Brooks, however, had been married previous to her marriage with Wyatt T. Brooks. Her first marriage was to Jim Smith, who died intestate and leaving two children born to his marriage with Lee Smith, who later married Wyatt T. Brooks. Jim Smith had no other children and adopted none. The two children of Jim Smith and wife, Lee Smith, were Jim Smith, Jr. and Clyde B. Smith. Jim Smith, Jr. died when he was about six years old. Clyde B. Smith is living, and now resides at 224 Quinta Road, San Antonio, Bexar County, Texas. Mrs. Lee Brooks died intestate about the year 1950. No administration was had on her estate, and none was necessary. She left as her sole and only heir, Clyde B. Smith. Therefore, it is our opinion that by reason of the facts and circumstances set forth above, Clyde B. Smith has a merchantable fee simple title to all the land enclosed within the fences of his ranch, except the 20.33 acres of land belonging to Public School Land of the State of Texas, and for which he has made application to purchase, as Good Faith Claimant.

Clyde B. Smith, and those through whom he holds, have used, claimed, and paid taxes on said land for over fifty (50) years, claiming it as their own, and believing it to belong to them.

The writer of this opinion knows well the land in question and has known said land for a period of fifty (50) years. This writer also knew well Wyatt T. Brooks and wife, Lee Brooks, having known them from his earliest recollection, up to the time of their respective deaths. This writer has also known Clyde B. Smith all this writer's life. This writer knows personally the facts and circumstances reflected by the abstract above mentioned.

Respectfully submitted,

SAUNDERS & SAUNDERS

BY: 
Dan O. Saunders

DOS:dl

File No. 8.7-15438

State County

title opinion

Filed October 29, 1952

BASCOM GILES, Com'r

Don Mayhew
File Clerk

Hon. Bascom Giles
Page 2
October 28, 1952

estate, and none was necessary. The said Wyatt T. Brooks and wife, Lee Brooks, never had any children and did not adopt any. Lee Brooks, however, had been married previous to her marriage with Wyatt T. Brooks. Her first marriage was to Jim Smith, who died intestate and leaving two children born to his marriage with Lee Smith, who later married Wyatt T. Brooks. Jim Smith had no other children and adopted none. The two children of Jim Smith and wife, Lee Smith, were Jim Smith, Jr. and Clyde H. Smith. Jim Smith, Jr. died when he was a minor, and his estate was administered by the court. The said Lee Brooks died intestate about the year 1930. No administration was had on her estate, and none was necessary. She left as her sole and only heir, Clyde H. Smith. There is our opinion that by reason of the facts and circumstances set forth above, Clyde H. Smith has a right to the title to all the land enclosed within the ranch, except the 20.35 acres of land to public school land of the State of Texas, and he has made application to purchase, as good title, and those through whom he holds, have used, paid taxes on said land for over fifty (50) years. The writer of this opinion knows well the land in question and has known said land for a period of fifty (50) years. This writer also knew well Wyatt T. Brooks and wife, Lee Brooks, having known them from his earliest recollection, up to the time of their deaths. This writer has also known Clyde H. Smith all his life. This writer knows personally the facts and circumstances reflected in the abstract above mentioned.

Respectfully submitted,
DAN O. SANDERS

By: [Signature]
Dan O. Sanders

DOB: 41

THOS. J. SAUNDERS
DAN O. SAUNDERS
T. J. SAUNDERS, JR.

LAW OFFICES OF
SAUNDERS & SAUNDERS
SOUTH TEXAS BUILDING
SAN ANTONIO, TEXAS

October 28, 1952

Hon. Bascom Giles
Commissioner of General Land Office
Austin, Texas

Dear Sir:

Please find enclosed herewith Good Faith Claimant's application to purchase, by Clyde B. Smith, 20.33 acres of State School Land in Hays County, Texas. You will find enclosed papers, etc., as follows:

- A. Application properly filled out, accompanied by a \$1.00 filing fee;
- B. Field notes of survey, accompanied by \$1.00 filing fee;
- C. Written report of Surveyor, licensed by state, which written report is on the reverse side of the field notes of the survey;
- D. Plat of survey;
- E. Proof that applicant is a Good Faith Claimant, this consisting of an affidavit stating: (a) Purpose for which land is being used; (b) Good Faith belief that same was included in bounds of survey previously titled; (c) Whether under fence; (d) Whether in possession ten years with Good Faith belief that he was owner thereof; (e) Circumstances under which adjoining land is being held; (f) Proximity of producing oil or gas well;

F. Title Opinion by Saunders & Saunders, Attorneys.

There is also enclosed certain information furnished with application to purchase, filled in on printed blank furnished by your office.

The two \$1.00 fees mentioned above are combined in one check payable to your order in the sum of \$2.00. We

6

RECEIVED
OCT 29 1952
GENERAL LAND OFFICE

10513

Hon. Bascom Giles

Page 2

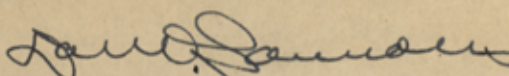
October 28, 1952

believe that we have enclosed herewith everything called for, but if not, our client stands ready to furnish you any other information, documents, etc.

We will appreciate it very much if you will acknowledge receipt of the enclosed. Thanking you, we are

Yours very truly,

SAUNDERS & SAUNDERS

BY: 
Dan O. Saunders

DOS:dl

Enclosures 7

October 31, 1952

Saunders & Saunders
Attorneys at Law
South Texas Building
San Antonio, Texas

Attention: Hon. Dan O. Saunders

Gentlemen:

Your letter of October 28, 1952, enclosing the Good Faith Claimant application to purchase alleged unsurveyed land in Hays County of Mr. Clyde B. Smith, together with filing fees in the amount of \$2.00 and supporting instruments, was received in the General Land Office on October 29, 1952. This application was filed of record as of the date received and assigned File No. S. F. 15438.

Under the law, 120 days are allowed for the completion of a Good Faith Claimant's application. All supporting instruments must be submitted within this period or all rights under the application will be lost.

Sincerely yours,

DENNIS WALLACE, CHIEF CLERK
AND ACTING COMMISSIONER
OF THE GENERAL LAND OFFICE

OW

File: S. F. 15438

cc: Mr. Clyde B. Smith
224 Quinta Road
San Antonio, Texas

File No.

S. 7-15438

(5)

Hayes

County

Coner. Saunders

Filed

October 31, 1952

BASCOM GILES, Com'r

Cha May Loarner

File Clerk

October 31, 1952

Saunders & Saunders
South Texas Building
San Antonio, Texas

Attention: Mr. Dan O. Saunders

Dear Mr. Saunders:

The field notes and sketch you submitted in connection with the Good Faith Claimant Application of Clyde B. Smith, our SF15438, Hays County, have been examined and are not in proper form for filing.

The field notes must bear the signature of the surveyor at the bottom of the certificate as indicated in pencil thereon. The original copy of the sketch is to be filed in the Land Office bearing the seal and signature of the surveyor, also the certificate attesting to the filing in the County Surveyor's Records.

A written report from the surveyor describing and explaining the survey is required. This report does not have to be lengthy but merely an explanation of the facts as delineated on the sketch and written in the field notes. I am returning the copy of the sketch and your field notes to you herewith.

Upon return of the report, field notes, and sketch, further consideration will be given this file.

Sincerely yours,

VES:IB

Enclosures
SF15438

DENNIS WALLACE, CHIEF CLERK
AND ACTING COMMISSIONER OF
THE GENERAL LAND OFFICE

6

File No. S. 7. 15438

Ways County

Plt to Saunders & Saunders

Filed October 31, 1952

BASCOM GILES, Confr

Per Mary Warren

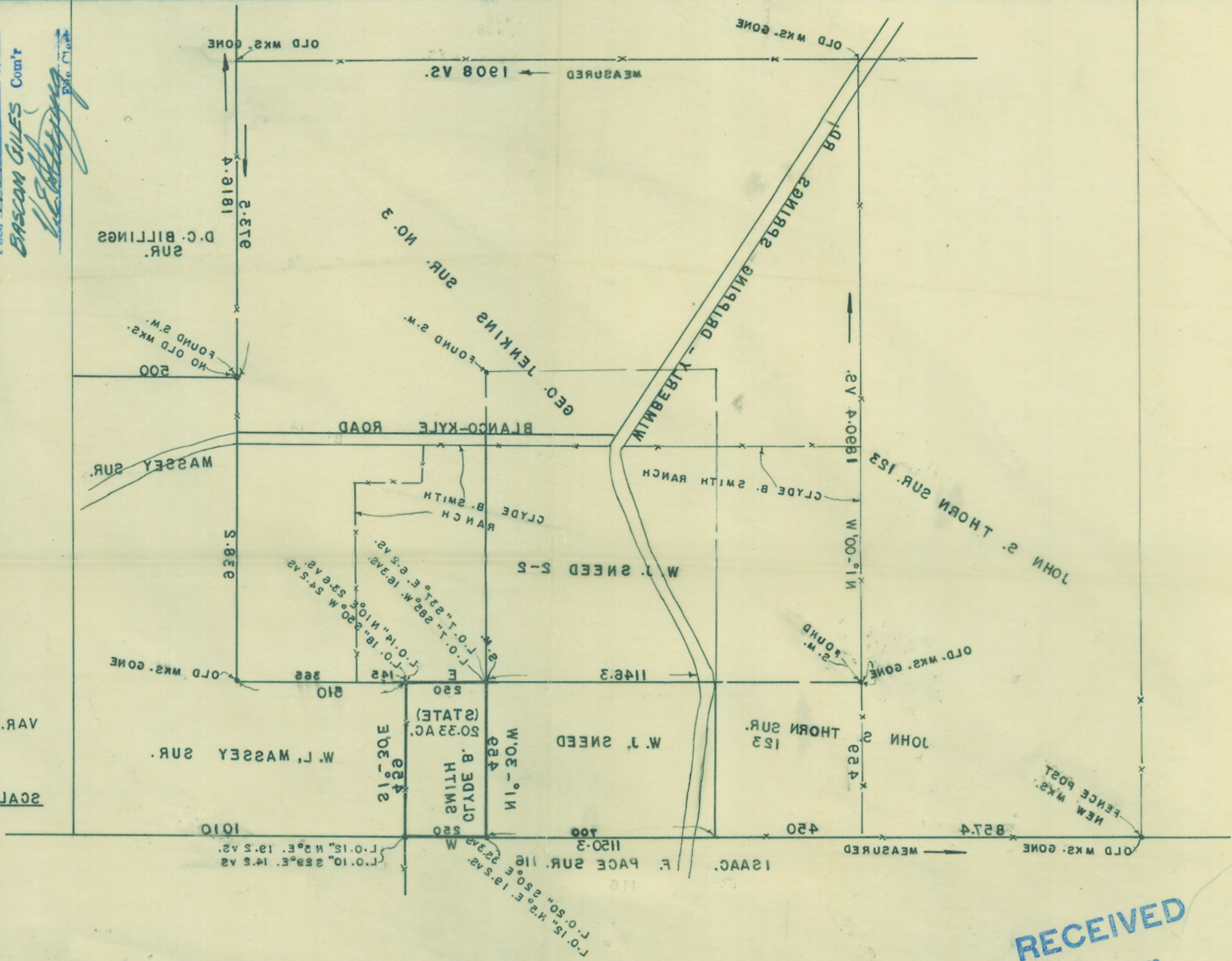
File Clerk

LICENSED STATE LAND SURVEYOR, BEXAR COUNTY, TEXAS
 BY: *[Signature]*
 SURVEYED MAY 1, 12, AND JUNE 14, 1952.

SURVEYED FOR CLYDE B. SMITH

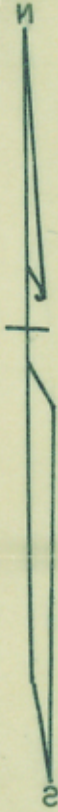
IN HAYS COUNTY, TEXAS.
 PLAT SHOWING LOCATION OF STATE SCHOOL LAND 20.33 ACRES

RECEIVED
 NOV 8 1952
 REFERRED TO LAW



SCALE: 1" = 300 VARAS

VAR. 9°-42'



8
 File No. SF-15438
HAYS County
SKETCH
 Filed Nov. 8 1952
BASCOM GILES Com'r
[Signature]
 State Clerk

CLYDE B. SMITH, 20.33 ACRES, Survey No. 10513
HAYS COUNTY, TEXAS.

Commissioner of the General Land Office,
Austin, Texas.

Dear Sir:

I found stone mound for the most westerly S.W. Corner of W. J. Sneed Survey and then measured South crossing a portion of the John S. Thorn(Thom) Survey, 459 Vs. to the north line of Isaac F. Pace Survey 116. I ran along south line of Thorn(Thom) Survey and north line of Pace Survey and found fence corner at 857.4 Vs. but no old marks. I, also, measured northward along east line of Thorn(Thom) Survey to the northwest corner of Geo. Jenkins Survey and found fence but old marks gone, then ran East 1908 Vs. for the northeast corner of Jenkins Survey and found fence corner but no old trees, then measured South along east line of Jenkins Survey and found stone mound for southwest corner of D. C. Billing Survey but no old marks. I measured East along the north line of Pace Survey, 1307.4 Vs. for the southeast corner of Thorn(Thom) Survey, the most southerly southwest corner of W. J. Sneed Survey but found no old marks. I continued East the call distance of 700 Vs. for the southeast corner of W. J. Sneed Survey and set rock mound for the southwest corner of Clyde B. Smith 20.33 Acres. I, also, ran East along the south line of Jenkins Survey and the north line of Massey Survey, 510 Vs. for the southeast corner of Jenkins Survey and found old marks gone. I ran North from this point along west line of Massey Survey, 938.2 Vs. to the northwest corner of Massey Survey and southwest corner of Billing Survey. I ran East 500 Vs. but found no old marks. I also found old stone mound at approximate northeast corner of W.J. Sneed Survey. After running out the above distances and bearings, and some others, the call distances of the Massey Survey and Sneed Survey were set, leaving the Smith 20.33 Acres State Land.

James B. Adams
Licensed State Land Surveyor
Bexar County, Texas.

RECEIVED

NOV 8 1952

REFERRED TO LAW

File No. SF-15438HAYS CountySURVEYORS REPORTFiled Nov. 8 1952BASCOM GILES Com'rW. H. Hines File Clerk

Dear Sir:

Austin, Texas.

Commissioner of the General Land Office.

HAYS COUNTY, TEXAS.
CLYDE B. SMITH, 80.33 ACRES, Gravel No. J05218

Land.
Sneed Gravel were set, leaving the Smith 80.33 Acres State
some others, the call distances of the Massey Gravel and
After running out the above distances and bearings, and
Sneed Gravel.
old stone mound at approximate northeast corner of W. 1.
I ran East 500 As. but found no old marks. I also found
of Massey Gravel and southwest corner of Billings Gravel.
line of Massey Gravel, 338.8 As. to the northwest corner
old marks gone. I ran North from this point along west
As. for the southeast corner of Jenkins Gravel and found
Jenkins Gravel and the north line of Massey Gravel, 210
80.33 Acres. I also, ran East along the south line of
set rock mound for the southwest corner of Clyde B. Smith
800 As. for the southeast corner of W. 1. Sneed Gravel and
found no old marks. I continued East the call distance of
most southerly southwest corner of W. 1. Sneed Gravel but
As. for the southeast corner of Thorn(Thom) Gravel, the
I ran East along the north line of Pace Gravel, 1307.4
corner of Jenkins Gravel and found stone mound for southwest
corner of Jenkins Gravel, then measured South along east
fence but old marks gone. Then ran East 1308 As.
northwest corner of Geo. Jenkins Gravel
ran Northward along east line of Thorn(Thom)
corner at 827.4 As. but no old marks.
of Massey Gravel and north line of Pace Gravel
of John S. Thom(Thom) Gravel, 483 As. to the
Sneed Gravel and then measured South crossing a
found stone mound for the most westerly S.W. Corner

REFERRED TO LAW

NOV 8 1952

RECEIVED

Bexar County, Texas.

Licensed State Land Surveyor

James L. Williams

ACCEPTANCE OF TERMS OF SALE OF UNSURVEYED SCHOOL LAND

(Applicant or Good Faith Claimant)

San Antonio

Texas,

November 29,

19 52.

TO THE COMMISSIONER OF THE GENERAL LAND OFFICE, AUSTIN, TEXAS:

17349

I hereby accept the terms of sale of the tract of unsurveyed school land hereinafter described as stated in your letter dated November 19, 1952 and apply to complete my application to purchase under the terms of House Bill No. 9, passed at the Regular Session of the Forty-sixth Legislature and approved June 19, 1939, and other laws relating to the sale of unsurveyed school land without settlement.

The land is situated in Hays County, Texas, about 18 miles (give course) NW from the county seat, and is briefly described as follows:

Survey No.	S. F. No.	Acres	Classification
	15438	20.33	

I agree to pay for said land the price of \$5.00 Dollars per acre, and I hereby enclose the sum of \$101.65 Dollars as the full cash payment therefor.
(Insert whether "full" or "one-fortieth")

I further agree that the sale to me is made upon the express conditions, to-wit:

The reservation of minerals therein to the State will be a free royalty of one-sixteenth of the oil and gas and one-eighth of the sulphur and other minerals.

I do solemnly swear (affirm) that I am over twenty-one (21) years of age.

Clyde B. Smith
Applicant or Good Faith Claimant

Post Office 224 Quinta Road
San Antonio, Texas

Sworn to and subscribed before me, this the 29 day of November, 1952.

Dan O. Saunders
Dan O. Saunders, Notary Public,
Bexar County, Texas

RECEIVED

DEC 2 1952

OBLIGATION

\$ School Lands.

For value received, I, the undersigned, do promise to pay to the State of Texas the sum of

Dollars, with interest thereon as hereinafter specified, the same being for the remainder of purchase money for the following described tract of land purchased by me, of the State of Texas, in accordance with the provisions of laws relating to the sale of unsurveyed public free school lands; to-wit: All of Survey No.

S. F. No., Grantee, situated in County, Texas.

The annual interest of five per cent, upon all unpaid principal, together with one-fortieth of the original principal, I am to pay or cause to be paid to the General Land Office, at Austin, Travis County, Texas, on or before the first day of each November thereafter until the whole purchase money is paid. And it is expressly understood that I am to comply strictly with all the conditions, limitations and requirements, and am subject to and accept all the benefits and penalties contained and prescribed in the laws above referred to.

Witness my hand this day of, 19.

Applicant or Good Faith Claimant

Post Office

Post Office

Applicant or Good Faith Claimant

Witness my hand this

day of

19

am subject to and accept all the benefits and penalties contained and prescribed in the laws above referred to expressly understood that I am to comply strictly with all the conditions, limitations and requirements, and or before the first day of each November thereafter until the whole purchase money is paid. And it is principal, I am to pay or cause to be paid to the General Land Office at Austin, Travis County, Texas, on

The annual interest of five per cent, upon all unpaid principal, together with one-fourth of the original

County, Texas.

S. F. No.

Grantee

situated in

laws relating to the sale of unsurveyed public free school lands; to-wit: All of Survey No.

following described tract of land hereinafter specified, the same being for the remainder of purchase money for the

Dollars.

For value received, I, the undersigned, do promise to pay to the State of Texas the sum of

School Lands.

DEC 5 1925

OBLIGATION

RECEIVED

Dexter,

County, Texas

Don O. Seungene, Notary Public,

25 years to and subscribed before me, this the 30

day of

November,

1925.

Post Office San Antonio, Texas

Applicant or Good Faith Claimant

I do solemnly swear (affirm) that I am over twenty-one (21) years of age.

(1a)

GENERAL LAND OFFICE Austin, Texas

S. F. No. 15438

ACCEPTANCE OF TERMS OF SALE OF UNSURVEYED SCHOOL LAND (Applicant or Good Faith Claimant)

of

CLYDE B. SMITH

224 Quinta Road

Post Office San Antonio, Texas

WITHOUT SETTLEMENT

20.33 acres in

Bexar County, Texas.

Filed Dec. 2, 1952

Commissioner

Awarded Dec. 2, 1952

Rejected , 19

Commissioner

Class

Appr'm't

Obligation

On Market

Survey No.

S. F. No.

(five course)

NW

from the county seat, and is briefly described as follows:

The land is situated in

Bexar

County, Texas, about

10

miles

approved June 19, 1923, and other laws relating to the sale of unsurveyed school land without settlement. under the terms of House Bill No. 3, passed at the Regular Session of the Forty-sixth Legislature and in your letter dated November 13, 1925 and apply to complete my application to purchase

I hereby accept the terms of sale of the tract of unsurveyed school land hereinafter described as stated

TO THE COMMISSIONER OF THE GENERAL LAND OFFICE, AUSTIN, TEXAS:

15819

San Antonio

Texas

November 30, 1925.

(Applicant or Good Faith Claimant)

OF UNSURVEYED SCHOOL LAND ACCEPTANCE OF TERMS OF SALE

1427
DUPLICATEGENERAL LAND OFFICE
AUSTIN, TEXAS**STATEMENT OF ACCOUNT**

TO BE USED AS RECEIPT WHEN RETURNED WITH REMITTANCE

BASCOM GILES, COMMISSIONER
ALVIS VANDYGRIFF, CHIEF CLERK**NOTE:**
SEE REVERSE
SIDE FOR
INSTRUCTIONS

NAME OF SURVEY	BLOCK	SECTION	CERTIFICATE	TSP	ACRES
Good Faith Claimant					20.33
PART OF SECTION	COUNTY	FILE NO.	LEDG.	PAGE	
	Hays	SF 15438	143	263	

Clyde B. Smith
224 Quinta Road
SAN ANTONIO, TEXAS

PRINCIPAL		INTEREST	
PAYMENTS OPTIONAL	%	AMOUNT	DATE DUE
101.65			11 29 1952

RECEIVED PAYMENT
TOTAL \$ 106.65 Pat. Fee 5.00
FOR INT. \$
REG. 17349 12/2/52 FOR PRIN. \$ 101.65

NAME AND ADDRESS OF
REMITTER OTHER THAN ADDRESSEE

COMMISSIONER OF THE GENERAL LAND OFFICE

\$

① SF 13438

REMITTER OTHER THAN ADDRESSEE
NAME AND ADDRESS OF

COMMISSIONER OF THE GENERAL LAND OFFICE

SAN ANTONIO, TEXAS
SBA Culpeper Road
Clyde B. Smith

REG 13349

12/8/52

FOR PRIN 101.95

TOTAL \$ 106.95

RECEIVED PAYMENT

FOR INT. 101.95
Pct. Fee 5.00

101.95				11	25	1952
PAYMENTS OPTIONAL	Q	AMOUNT		DATE		
PRINCIPAL				INTEREST		

PART OF SECTION		COUNTY		FILE NO.		LEDG.		PAGE	
Good Patch Claimant		Hays		25 12438		143		563	
NAME OF SURVEY		BLOCK		SECTION		CERTIFICATE		TSP	
								ACRES	
								80.23	



TO BE USED AS RECEIPT WHEN RETURNED WITH REMITTANCE
STATEMENT OF ACCOUNT
AUSTIN, TEXAS
GENERAL LAND OFFICE

ALVA VANDYGRIFE, CHIEF CLERK
BASCOR GILES, COMMISSIONER

INSTRUCTIONS
SIDE FOR
SEE REVERSE
NOTE:

DUPLICATE

Ledger 143

LAND AWARDS AND RECEIPT

File No. S. F. 15438

Page 263

Date of Award December 2, 1952, xxx 194

GENERAL LAND OFFICE,
AUSTIN, TEXAS

WHEREAS, Clyde B. Smith

of San Antonio, Texas, has, in the manner and form prescribed by law, filed in this office an application and obligation to purchase the following land, to-wit:

SECTION	BLOCK	TOWNSHIP	CERTIFICATE	GRANTEE	ACRES	PRICE	COUNTY
			<u>S. F.</u> <u>15438</u>	<u>Clyde B. Smith</u>	<u>20.33</u>	<u>\$5.00</u>	<u>Hays</u>

Date of Sale _____

Amount of Note \$ _____

Rate of Interest _____ Per Cent

Due November 1st Annually
SCHOOL LAND

The School land Board having fixed the price, and the State having received \$101.65 as the full payment thereon, I do hereby award to said applicant the survey of land described above with a reservation of a free royalty of one-sixteenth on oil and gas and one-eighth on sulphur and all other minerals to the State.

Bascom Giles
Commissioner General Land Office

SCHOOL LAND

Due November 1st Annually

Rate of Interest

Per Cent

minerals to the State.

and one-eighth on surplus and all other

loyalty of one-sixteenth on oil and gas

land described above with a reservation of 2 1/2%

Amount of Note \$

thereon, I do hereby award to said applicant the survey of
having received \$101.00 as the full payment

Date of Sale

The School Land Board having fixed the price, and the State

SECTION	BLOCK	TOWNSHIP	RANGE	ACRES	PRICE	COUNTY
1348		8448	CLADE B. SWICH	50.05	00.25	TEXAS

law, filed in this office an application and obligation to purchase the following land, to-wit:

of San Antonio

WHEREAS,

AUSTIN, TEXAS

GENERAL LAND OFFICE,

CLADE B. SWICH

Page

503

Date of Award

December 8, 1928

Page

141

LAND AWARDS AND RECEIPT

File No.

12438

54 15438

Receipt 12-2-28

November 19, 1952

Saunders & Saunders
South Texas Building
San Antonio, Texas

Attention: Mr. Dan C. Saunders

Dear Mr. Saunders:

The School Land Board of the State of Texas at a meeting held in my office November 18, 1952, fixed the price at which your client Clyde B. Smith may pay for the unsurveyed school land in S. F. 15438, 20.33 acres, Hays County, which he applied for, at \$5.00 per acre.

Since this area is more than five miles from production, the reservation of minerals therein to the State will be a free royalty of one-sixteenth of the oil and gas and one-eighth of the sulphur and other minerals.

Since this area contains less than 80 acres, it will have to be paid for in cash. He should, therefore, forward a check in the amount of \$101.65, which, according to my calculation, is the amount necessary to pay for such unsurveyed school land. In addition to the above, the patent fee on this tract will amount to \$5.00. He may include these two sums in one check which should be made payable to the State Treasurer. It will also be necessary for him to forward to this office a separate check in the sum of \$1.04 to defray the expense of recording the patent in the county where the land is located. This latter check must be made payable to the Commissioner of the General Land Office.

As I interpret the law it contemplates that such unsurveyed areas must be purchased within 90 days from the date the Commissioner finally determines the existence of a vacancy, which in this case was November 18, 1952.

I am enclosing a form of acceptance, which I request that he fill out and return to this office with the remittances.

Sincerely yours,

BASCOM GILES, COMMISSIONER
OF THE GENERAL LAND OFFICE

CRL:ej
enc.
SF 15438

(23)

S#15438

Letter of
valuation
11-19-52



General Land Office

BASCOM GILES, COMMISSIONER
DENNIS WALLACE, CHIEF CLERK

Austin, Texas, Dec. 10, 1952

County Clerk Hays County
San Marcos, Texas

Dear Sir:

The enclosed Receiver's check for \$ 1.00 is for recording the enclosed patent in

Hays County, issued to the Patentee shown therein.

The other check or checks, enclosed, if any, is the fee for the other county clerk, or clerks, as shown.

When recorded by you, kindly forward patent, and this letter, with balance of fees, if any, to other proper county clerk, and when record is fully completed deliver to the owner or his agents, in person or by registered mail, as required by Chapter 47, Acts April 2, 1918.

Saunders & Saunders, South Texas Bldg. San Antonio, Tex paid the fees as agent or owner.

Patent No. 215

Sincerely,

Vol. No. 21-B

Commissioner.

File No. SF 15438

(74) SF 15438

File No.

87, 19438

Vol. No.

31-3

Patent No.

512

Noted 4-12-38

Commissioner,

Sincerely,

Guadalupe & Guadalupe, Jones, Texas Bldg. San Antonio, Tex paid the fees as agent or owner of registered mail as recited by Chapter 47, Acts April 8, 1918.

When received by you, kindly forward patent, and this letter, with balance of fees, if any, to other. The other check or checks enclosed, if any, is for the other county clerk or clerk, as shown.

May

County, issued to the President shown therein.

The enclosed Receiver's check for \$

1.00

is for recording the enclosed patent in

Dear Sir:

San Antonio

Texas

County Clerk

May

County

GUADALUPE & GUADALUPE, JONES, TEXAS
BANKING OFFICE, COMMISSIONER

Austin, Texas

Dec. 10, 1938



Principal Deputy Office

DECEMBER 22, 1952

MR. WOODS DOBBINS, TAX ASSESSOR
AND COLLECTOR HAYS COUNTY
SAN MARCOS, TEXAS

DEAR MR. DOBBINS:

THE FOLLOWING INFORMATION SHOULD BE NOTED ON
YOUR RECORD:

A TRACT CONTAINING 20.33 ACRES, SITUATED ABOUT
15 $\frac{1}{2}$ MILES N. 34 DEGREES W. FROM SAN MARCOS, HAS BEEN
AWARDED TO CLYDE B. SMITH, UNDER THE PROVISIONS OF AN ACT
APPROVED JUNE 19, 1939, AND OTHER LAWS RELATING TO THE SALE
OF UNSURVEYED SCHOOL LAND. THIS INFORMATION WILL BE CARRIED
IN ABSTRACT SUPPLEMENT E, UNDER ABSTRACT No. 827.

SINCERELY YOURS,

BASCOM GILES, COMMISSIONER
OF THE GENERAL LAND OFFICE

MH
FILE S.F. 15438

(15)

A. F. 15438

Assessor-Collector
Notified 12-22-52